



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

May 21, 2003

IN REPLY PLEASE
REFER TO FILE:

MP-5

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**RESOLUTION OF SUMMARY VACATION
BROWNHILL TRAIL - SYLVIA PARK
SUPERVISORIAL DISTRICT 3
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find this action categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Find that:
 - a. Pursuant to Section 8331(a) of the Streets and Highways Code, the street or highway has been impassable for vehicular and pedestrian traffic for a period of five consecutive years.
 - b. Pursuant to Section 8331(b) of the Streets and Highways Code, no public monies were expended for the maintenance of the street during that period.
 - c. Pursuant to Section 8334(a) of the Streets and Highways Code, the street right of way is excess and not required for street or highway purposes.
3. Find pursuant to Section 2381 of the Streets and Highways Code that the street to be vacated is not useful as a nonmotorized transportation facility and is not needed for present or prospective public use.

4. Adopt the enclosed Resolution of Summary Vacation to vacate the portion of Brownhill Trail west of Oakwood Trail as described in Exhibit "A" of the Resolution.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Mr. John Blanton Jr. and Ms. Lynda R. Kies requested this vacation to terminate a paper road. The existing topography makes the road impractical to build. The vacation of the unimproved road will not have any negative impact on any adjacent properties or the County Highway Plan. No existing public utility easements will be affected by the proposed vacation.

Brownhill Trail was dedicated to the County for public road purposes in November 1924, but was never constructed or used as a public road. It is in the County's interest to vacate the street since it no longer serves the purposes for which it is dedicated and is not required for general public access, circulation, or for bicycle paths or trails.

Implementation of Strategic Plan Goals

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility as the vacation of this portion of Brownhill Trail will result in added revenue through assessment and taxation, eliminates unnecessary maintenance costs, and removes possible County exposure to liabilities.

FISCAL IMPACT/FINANCING

Vacation of the street will not have any negative fiscal impact on County budget. The applicant has paid a fee of \$1,500 to defray the expense of the investigation. The fee is authorized by your Board in Resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 6,595 square feet and is shown on the map attached to the Resolution.

The County's interest was acquired as an easement for road purposes by dedication on the map of Tract No. 6943, recorded in Book 105, pages 74 through 82, inclusive of Maps, on file in the office of the Recorder of the County of Los Angeles.

The Public Streets, Highways, and Service Easement Vacation Law allows your Board to voluntarily relinquish the County's interest over the street. Adoption by your Board of Public Works' recommendation terminates the rights of the public to the vacated area and disposes of an unnecessary County right of way. Your action will also result in the property being unencumbered of the public easement, thereby allowing the underlying fee owners to exercise their reversionary rights over the vacated area.

ENVIRONMENTAL DOCUMENTATION

With respect to the requirements of CEQA, this proposed vacation is categorically exempt, as specified in Class 21(a) of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57, and Section 15321 of State CEQA Statutes and Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The County of Los Angeles Fire Department has found that no fire protection facilities will be affected by the proposed vacation. The County of Los Angeles Regional Planning Commission has determined that the proposed vacation does not conflict with the County's Adopted General Plan and that the proposed vacation area is not suitable for bicycle paths and trails.

CONCLUSION

This action is in the County's best interest. Enclosed is a Resolution of Summary Vacation, approved as to form by County Counsel. Upon adoption of the Resolution, please return one executed original and a copy to Public Works for further processing. Public Works will record the Resolution and return the executed original Resolution to you when recorded. In the interim, please retain one executed copy for your files.

The Honorable Board of Supervisors
May 21, 2003
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One approved copy of this letter is requested.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

CVC:ayc
P5:BDCVCP

Enc.

cc: Chief Administrative Office
County Counsel

RESOLUTION OF SUMMARY VACATION

BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles that it is hereby found and determined that, the portion of Brownhill Trail west of Oakwood Drive, legally described in Exhibit "A" and as shown by the map in Exhibit "B" attached hereto and incorporated herein by this reference, which right of way is located in the vicinity of Sylvia Park, in the County of Los Angeles, State of California, is no longer needed for present or prospective public use based upon the following facts: (1) that the subject right of way (street) has been impassable for vehicular traffic for a period of five consecutive years and that no public monies were expended for maintenance on the right of way during that period; (2) that the County's right of way is excess right of way not required for street or highway purposes; and (3) that the right of way is not required for general public access, circulation, or for bicycle paths or trails.

BE IT FURTHER RESOLVED that the right of way in, over, and across said property for street and highway purposes legally described in Exhibit "A" is hereby vacated pursuant to Chapter 4, Part 3, Division 9, of the Streets and Highways Code, State of California, commencing with Section 8330.

BE IT FURTHER RESOLVED that said vacation does not terminate any public service easements.

BE IT FURTHER RESOLVED that the Department of Public Works be authorized to record the certified original Resolution in the office of the Recorder of the County of Los Angeles, at which time the area vacated will no longer be a public highway/easement.

The foregoing Resolution was on the ____ day of _____, 20____, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

APPROVED AS TO FORM

LLOYD W. PELLMAN
County Counsel

VIOLET VARONA-LUKENS, Executive Officer
of the Board of Supervisors
of the County of Los Angeles

By _____
Deputy

By _____
Deputy

EXHIBIT "A"

**BROWNHILL TRAIL WEST OF OAKWOOD DRIVE
(M0288110)**

That portion of BROWNHILL TRAIL (formerly known as BROWNSTONE TRAIL), 15 feet wide, in the unincorporated territory of the County of Los Angeles, State of California, as shown on and dedicated to the public use, by map of Tract No. 6943, recorded in Book 105, pages 74 to 82, inclusive, of Maps, in the office of the Recorder of said County, bounded northeasterly by a line which bears at right angles from the southeasterly line of Lot 562 of said tract and which passes through the most easterly corner of said lot and bounded southeasterly by the southwesterly prolongation of the southeasterly line of Lot 146 of said tract.

Total Area: 6,595± square feet

Description Approved

James A. Noyes
Director of Public Works

By _____
Deputy

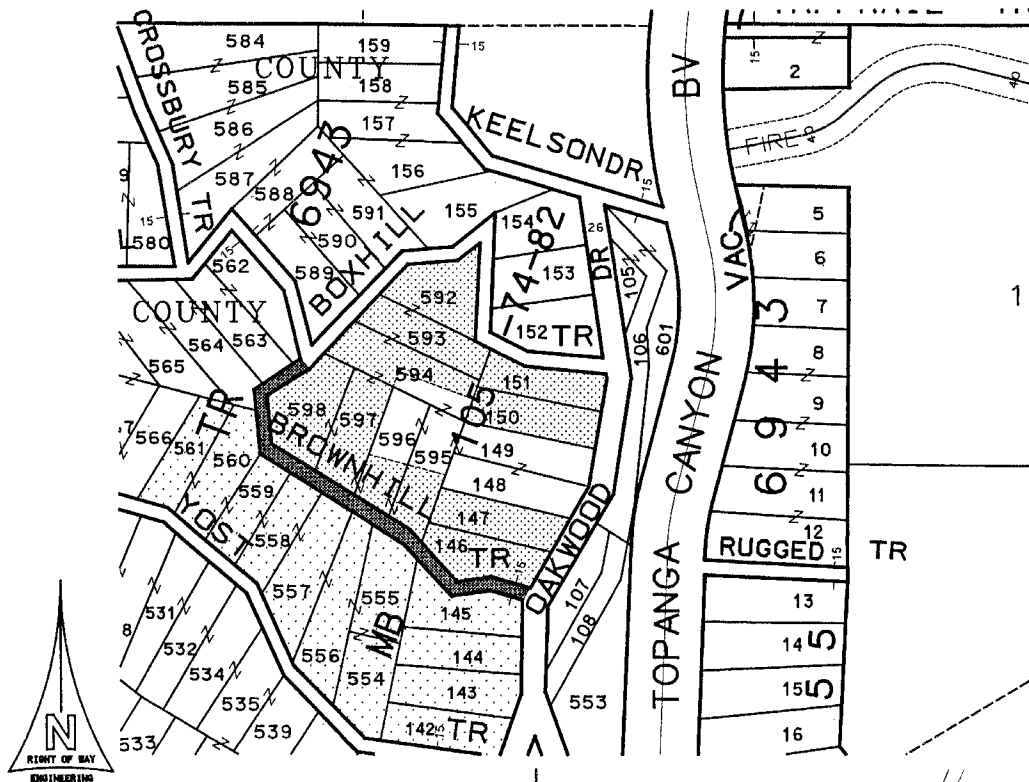


EXHIBIT B

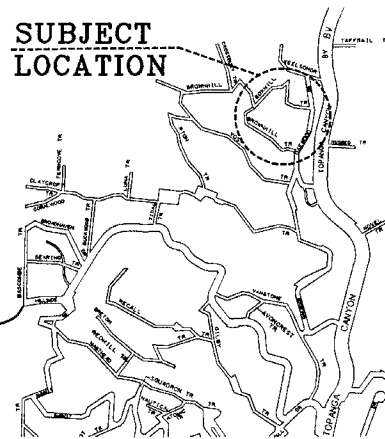
NOTE

Lots adjoining the proposed vacation area are owned by the applicants

LEGEND

	Proposed Vacation 6595 ± s.f.
	John Blanton
	Lynda R. Kies

SUBJECT LOCATION



DEPARTMENT OF PUBLIC WORKS				MAPPING & PROPERTY MANAGEMENT DIVISION		
SD. 3	RD. 336	A.M.B. 4440-013	T.G. 590-B-3	BROWNHILL TRAIL W/O OAKWOOD DR	DRAWING NO. M0288110	
SCALE NONE		DATE 2-28-02	I.M. 144-097			